

**IN THE UNITED STATES DISTRICT FOR THE
EASTERN DISTRICT OF TEXAS,
SHERMAN DIVISION**

JASON LEE VAN DYKE,	§	
<i>Plaintiff,</i>	§	
v.	§	
	§	
THOMAS CHRISTOPHER	§	NO. 4:18-CV-247-ALM
RETZLAFF, a/k/a DEAN	§	
ANDERSON, d/b/a BV FILES, VIA	§	
VIEW FILES, L.L.C., and VIAVIEW	§	
FILES,	§	
<i>Defendants</i>	§	

**RETZLAFF'S RESPONSES TO VAN DYKE'S
REQUESTS FOR PRODUCTION 1-13**

TO: Jason Lee Van Dyke, Plaintiff Pro Se.

REQUEST FOR PRODUCTION NO. 1:

If the identity of Dean Anderson is known to you, produce any and all documents demonstrating the true legal name and physical address of Dean Anderson. If you and Dean Anderson are one and the same person, you should respond to this request by producing a photocopy of the front of your driver's license, state identification card, or passport. For the purpose of this request, Dean Anderson is the person who utilizes, or who previously utilized, the following email address: dean714@yandex.com.

RESPONSE: **Answer.** Retzlaff cannot be compelled to disclose the identity(ies) of anonymous speakers—either himself or anyone else—against which the First Amendment robustly protects. *Watchtower Bible and Tract Soc. of New York v. Village of Stratton*, 536 U.S. 150, 166-67 (2002); *Buckley v. American Constitutional Law Foundation, Inc.*, 525 U.S. 182 (1999).

[A]n author is generally free to decide whether or not to disclose his or her true identity.... [A]n author's decision to remain anonymous, like other decisions concerning omissions or additions to the content of a publication, is an aspect of the freedom of speech protected by the First Amendment.

McIntyre v. Ohio Elections Comm., 514 U.S. 334, 341-42. (1995). “Under our Constitution, anonymous pamphleteering is not a pernicious, fraudulent practice, but an honorable tradition of advocacy and dissent.” *Id.* at 356. A court order—even when issued at the behest of a private party—constitutes state action. *New York Times v. Sullivan*, 364 U.S. 254, 265 (1964). Thus, the amputation of a speaker’s First Amendment right of anonymity is subject to limitations with constitutional timbre. It is well settled that this principle applies equally to anonymous speech on the Internet. The “BV Files” authors, whoever they are, have a First Amendment right to publish their opinions on the Internet anonymously. *Reno v. ACLU*, 521 U.S. 844, 853 (1997); *see also ApolloMedia Corp. v. Reno*, 19 F. Supp. 1081 (N.D. Cal. 1998) (protecting anonymous denizens of www.annoy.com, a website “created and designed to annoy” legislators), *aff’d by ApolloMedia Corp. v. Reno*, 526 U.S. 1061 (1999). Any order to destroy a speaker’s anonymity is subject to constitutional limitations. *New York Times*, 364 U.S. at 265. Because compelled identification affects the First Amendment right of anonymous speakers to remain anonymous, justification for an incursion upon that right requires proof of a compelling interest. *McIntyre*, 514 U.S. at 347.

The person seeking to discover the identity of an anonymous speaker has the burden to show:

- (i) The issue on which discovery is sought is not just relevant, but goes to the heart of the plaintiff’s case;
- (ii) Disclosure of the identity of the anonymous speaker is necessary because the party seeking disclosure is likely to prevail on all other issues in the case; and
- (iii) The party seeking disclosure has exhausted all other means.

See United States v. Caporale, 806 F.2d 1487 (11th Cir. 1986); *Miller v. Transamerican Press*, 621 F.2d 721, 726 (5th Cir. 1980). Until plaintiff has made the required showings, any compelled disclosure of documents that would destroy the speaker’s anonymity is premature.

OBJECTION: Further, the documents sought are not relevant to any party’s claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1). The request is vague and ambiguous; also calls for Retzlaff to create documents that do not exist.

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

REQUEST FOR PRODUCTION NO. 2:

Produce any material relating to the registration or registration renewal of the following domain name: viaviewfiles.net. Plaintiff only requests documents relating to services rendered on or which continued after March 1, 2018.

RESPONSE: **Objection.** The request’s use of the overbroad (as defined) term “material” does not describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). “Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing.” *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Further, the documents sought are not relevant to any party’s claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

Answer. Retzlaff cannot be compelled to disclose the identity(ies) of anonymous speakers—either himself or anyone else—against which the First Amendment robustly protects. *Watchtower Bible and Tract Soc. of New York v. Village of Stratton*, 536 U.S. 150, 166-67 (2002); *Buckley v. American Constitutional Law Foundation, Inc.*, 525 U.S. 182 (1999).

[A]n author is generally free to decide whether or not to disclose his or her true identity.... [A]n author’s decision to remain anonymous, like other decisions concerning omissions or additions to the content of a publication, is an aspect of the freedom of speech protected by the First Amendment.

McIntyre v. Ohio Elections Comm., 514 U.S. 334, 341-42. (1995). “Under our Constitution, anonymous pamphleteering is not a pernicious, fraudulent practice, but an honorable tradition of advocacy and dissent.” *Id.* at 356. A court order—even when issued at the behest of a private party—constitutes state action. *New York Times v. Sullivan*, 364 U.S. 254, 265 (1964). Thus, the amputation of a speaker’s First Amendment right of anonymity is subject to limitations with constitutional timbre. It is well settled that this principle applies equally to anonymous speech on the Internet. The “BV Files” authors, whoever they are, have a First Amendment right to publish their opinions on the Internet anonymously. *Reno v. ACLU*, 521 U.S. 844, 853 (1997); *see also ApolloMedia Corp. v. Reno*, 19 F. Supp. 1081 (N.D.

Cal. 1998) (protecting anonymous denizens of www.annoy.com, a website “created and designed to annoy” legislators), *aff’d by ApolloMedia Corp. v. Reno*, 526 U.S. 1061 (1999). Any order to destroy a speaker’s anonymity is subject to constitutional limitations. *New York Times*, 364 U.S. at 265. Because compelled identification affects the First Amendment right of anonymous speakers to remain anonymous, justification for an incursion upon that right requires proof of a compelling interest. *McIntyre*, 514 U.S. at 347.

The person seeking to discover the identity of an anonymous speaker has the burden to show:

- (i) The issue on which discovery is sought is not just relevant, but goes to the heart of the plaintiff’s case;
- (ii) Disclosure of the identity of the anonymous speaker is necessary because the party seeking disclosure is likely to prevail on all other issues in the case; and
- (iii) The party seeking disclosure has exhausted all other means.

See United States v. Caporale, 806 F.2d 1487 (11th Cir. 1986); *Miller v. Transamerican Press*, 621 F.2d 721, 726 (5th Cir. 1980). Until plaintiff has made the required showings, any compelled disclosure of documents that would destroy the speaker’s anonymity is premature.

REQUEST FOR PRODUCTION NO. 3:

Produce any [word or phrase apparently omitted] relating to any website hosting services purchased or for renewed by Defendant. Plaintiff only requests documents relating to services rendered on or which continued after March 1, 2018.

RESPONSE: **Objection.** The request’s apparent omission of a key term or phrase causes the request to fail to describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). “Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing.” *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Further, the documents sought are not relevant to any party’s claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

Answer. Subject to, and without waiving, the foregoing objection—and assuming the omitted word or phrase is “documents” or “material”—Retzlaff refers plaintiff to his answer and objections to Interrogatory No. 1.

REQUEST FOR PRODUCTION NO. 4:

Produce any material relating to any services purchased by Defendant from Cloudflare, Inc. Plaintiff only requests documents relating to services rendered or which continued after March 1, 2018.

RESPONSE: **Objection.** The request’s use of the overbroad (as defined) term “material” does not describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). “Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing.” *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Further, the documents sought are not relevant to any party’s claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

Answer. Subject to, and without waiving, the foregoing objection, no documents responsive to the request as propounded are within Retzlaff’s actual or constructive possession.

REQUEST FOR PRODUCTION NO. 5:

Produce any material containing the name of any person who pays for any services (of any nature, type, and description) relating to BV Files.

RESPONSE: **Objection.** The request’s use of the overbroad (as defined) term “material” does not describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). “Although a [party] should not be denied access to information necessary to establish her

claim, neither may a [party] be permitted to go fishing.” *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Further, the documents sought are not relevant to any party’s claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

Answer. Subject to, and without waiving, the foregoing objection, Retzlaff refers plaintiff to his answer to Interrogatory No. 1.

REQUEST FOR PRODUCTION NO. 6:

Produce any material and communication relating to Plaintiff that you have sent to or received from KLR. The scope of this request is materials and communications sent or received between March 1, 2018 and March 1, 2020. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request’s use of the overbroad (as defined) terms “material” and “communication” does not describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). “Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing.” *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007).

OBJECTION: Attorney work product / items produced in anticipation of litigation.

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

Answer. Subject to, and without waiving, the foregoing objections, no documents responsive to the request as propounded are within Retzlaff’s

actual or constructive possession except for correspondence sent by counsel for Retzlaff (which plaintiff already has).

REQUEST FOR PRODUCTION NO. 7:

Produce any material and communication relating to Plaintiff that you have sent to or received from Denton DA. The scope of this request is materials and communications sent or received between March 1, 2018 and March 1, 2020. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request's use of the overbroad (as defined) terms "material" and "communication" does not describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). "Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing." *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Further, the documents sought are not relevant to any party's claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION: Attorney work product / items produced in anticipation of litigation.

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

REQUEST FOR PRODUCTION NO. 8:

Produce any material and communications relating to Plaintiff that you have sent to or received from Collin DA. The scope of this request is materials and communications sent or received between March 1, 2018 and March 1, 2020. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request's use of the vague terms "Collin DA" does not describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). Furthermore, the documents sought are not relevant to any party's claims or defenses and not

reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

REQUEST FOR PRODUCTION NO. 9:

Produce any material and communications relating to Plaintiff that you have sent to or received from any Law Enforcement Agent. The scope of this request is materials and communications sent or received between March 1, 2018 and March 1, 2020. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request's use of the overbroad (as defined) terms "material," "communications," and "Law Enforcement Agent fails to describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). "Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing." *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Furthermore, the documents sought are not relevant to any party's claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

REQUEST FOR PRODUCTION NO. 10:

Produce any material and communications *of any kind* that you have sent to or received from Isaac Lee Marquart a/k/a Sam Benneth. The scope of this request is materials and communications sent or received between August 1, 2018 and March 1, 2020. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request's use of the overbroad (as defined) terms "material" and "communications" fails to describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). "Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing." *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Furthermore, the documents sought are not relevant to any party's claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

REQUEST FOR PRODUCTION NO. 11:

Produce any material and communications *of any kind* that you have sent to or received from Jason Ryan De Keresforth Armitage. The scope of this request is materials and communications sent or received between August 1, 2018 and March 1, 2020. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request's use of the overbroad (as defined) terms "material" and "communications" and inclusion of the inherently overbroad phrase "*of any kind*" fails to describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). "Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing." *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Furthermore, the documents sought are not relevant to any party's claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

REQUEST FOR PRODUCTION NO. 12:

Produce any material communications of *any kind* that you have sent to or received from Corey Deonta Momot or any attorney representing Corey Deonta Momot. The scope of this request is materials and communications sent or received between August 1, 2018 and March 1, 2020. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request's use of the undefined term "material communications" does not describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). "Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing." *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Further, the documents sought are not relevant to any party's claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

REQUEST FOR PRODUCTION NO. 13:

Produce any communications relating to Plaintiff that you have sent to or received from any current or former client of Plaintiff. The scope of this request is materials and communications sent or received between March 1, 2018 and February 29, 2019. This request includes material and communications sent by you or by *any* person acting on your behalf, including your attorneys.

RESPONSE: **Objection.** The request's use of the overbroad (as defined) terms "communications relating to Plaintiff" fails to describe with reasonable particularity the item or category of items to be produced, as required. FED. R. CIV. P. 34(b)(1)(A); *Parsons v. Jefferson-Pilot Corp.*, 141 F.R.D. 408, 412 (M.D.N.Y. 1992). "Although a [party] should not be denied access to information necessary to establish her claim, neither may a [party] be permitted to go fishing." *Surles v. Greyhound Lines, Inc.*, 474 F.3d 288, 305 (6th Cir. 2007). Furthermore, the documents sought are not relevant to any party's claims or defenses and not reasonably calculated to the lead to the discovery of admissible evidence. FED. R. CIV. P. 26(b)(1).

OBJECTION - Privilege: Retzlaff further declines to respond pursuant to his rights under the Fifth Amendment due to Van Dyke having made police

reports against Retzlaff regarding the subject of this discovery request. See attached Exhibits 1 and 2.

Respectfully submitted,

HANSZEN  LAPORTE

By: _____ /s/ Jeffrey L. Dorrell

JEFFREY L. DORRELL

State Bar No. 00787386

Federal ID # 18465

jdorrell@hanszenlaporte.com

ANTHONY L. LAPORTE

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14201 Memorial Drive

Houston, Texas 77079

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FAX: 713-524-2580

ATTORNEYS FOR DEFENDANT TOM RETZLAFF

CERTIFICATE OF SERVICE

I certify that on 4-20, 2020, the foregoing was electronically filed using the Court's CM/ECF filing system, which will provide notice and a copy of this document to the following if a registered ECF filer in the United States District Court for the Eastern District of Texas, Sherman Division.

Mr. Jason Lee Van Dyke
Plaintiff, Pro Se
P.O. Box 2618
Decatur, Texas 76234
Telephone: 940-305-9242
jasonleevandyke@protonmail.com

/s/ Jeffrey L. Dorrell
JEFFREY L. DORRELL

EXHIBIT 1

From: Jason Van Dyke <jason@vandykelawfirm.com>
Subject: FW: Notice of Representation
Date: October 26, 2018 at 9:40:33 AM CDT
To: "Wicevich, Walker (PX) (FBI)" <wwicevich@fbi.gov>
Cc: Jeffrey Dorrell <JDorrell@hanszenlaporte.com>, Kristin Brady
<Kristin.Brady@TEXASBAR.COM>

Special Agent Wicevich –

I just received this from Mr. Retzlaff. It appears to be a letter to his attorney that he copied me on. He clearly intends to continue harassing and stalking my mother – a seventy year old senior citizen who is battling breast cancer – through interstate commerce. I understand that this is a violation of 18 U.S.C. 2281(A). If the FBI doesn't want to do its job and put a stop to this, I understand. I am happy to speak with the officer at the Frisco Police Department who took my mother's report.



EXHIBIT 2

OFFENSE

VICTIM

SUBJECT DESCRIPTORS

INCIDENT REPORT

VEHICLE/VEHICLE AD	PAGE #	DATE	INCIDENT #	REPORTING OFFICER			CODE #	VICTIM NAME																																																																								
	3	06/04/2019	19-0601108	Sergeant John C. Mosley			9385	VANDYKE, JASON LEE																																																																								
	YEAR	MAKE	MODEL	STYLE	VIN	LICENSE NUMBER		STATE																																																																								
	OWNER'S NAME				ADDRESS																																																																											
VEHICLE/VEHICLE AD	TOP/SOLID COLOR			SECOND COLOR			DISPOSITION OF RECOVERY:																																																																									
							<input type="checkbox"/> (I) Impounded <input type="checkbox"/> (R) Released To Owner																																																																									
	YEAR	MAKE	MODEL	STYLE	VIN	LICENSE NUMBER		STATE																																																																								
	OWNER'S NAME				ADDRESS																																																																											
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	OWNER'S NAME				ADDRESS																																																																											
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TOTAL NUMBER VEHICLES STOLEN:			TOTAL NUMBER VEHICLES RECOVERED:			TOTAL VALUE STOLEN:			TOTAL VALUE RECOVERED:																																																																							
PROPERTY LOSS: (1) None (2) Burned (3) Counterfeited/Forged (4) Damaged/Destroyed/Vandalized (5) Recovered (6) Seized (7) Stolen, etc. (8) Unk.																																																																																
PROPERTY DESCRIPTION: <table style="width:100%; font-size: small;"> <tr> <td>(01) Aircraft</td> <td>(14) Gambling Equipment</td> <td>(27) Recordings-Audio/Visual</td> <td>(42) Artistic Supplies/Accessories</td> <td>(68) Lawn/Yard/Garden Equipment</td> </tr> <tr> <td>(02) Alcohol</td> <td>(15) Heavy Construction/Industrial Equipment</td> <td>(28) Recreational Vehicles</td> <td>(43) Building Materials</td> <td>(69) Logging Equipment</td> </tr> <tr> <td>(03) Automobiles</td> <td>(16) Household Goods</td> <td>(29) Structures-Single Occupancy</td> <td>(44) Camping/Hunting/Fishing Equipment/Supplies</td> <td>(70) Medical/Medical Lab Equipment</td> </tr> <tr> <td>(04) Bicycles</td> <td>(17) Jewelry/Precious Metals/Gems</td> <td>(30) Structures-Other Dwellings</td> <td>(45) Chemicals</td> <td>(71) Metals, Non-Precious</td> </tr> <tr> <td>(05) Buses</td> <td>(18) Livestock</td> <td>(31) Structures-Commercial/Business</td> <td>(46) Collections/Collectibles</td> <td>(72) Musical Instruments</td> </tr> <tr> <td>(06) Cloths/Furs</td> <td>(19) Merchandise</td> <td>(32) Structures-Industrial/Manufacturing</td> <td>(47) Crops</td> <td>(73) Pets</td> </tr> <tr> <td>(07) Computer Hardware/Software</td> <td>(20) Money</td> <td>(33) Structures-Public/Community</td> <td>(48) Documents/Personal or Business</td> <td>(74) Photographical/Optical Equipment</td> </tr> <tr> <td>(08) Consumable Goods</td> <td>(21) Negotiable Instruments</td> <td>(34) Structures-Storage</td> <td>(49) Explosives</td> <td>(75) Portable Electronic Communications</td> </tr> <tr> <td>(09) Credit/Debit Cards</td> <td>(22) Nonnegotiable Instruments</td> <td>(35) Structures-Other</td> <td>(50) Firearm Accessories</td> <td>(76) Recreational/Sports Equipment</td> </tr> <tr> <td>(10) Drugs/Narcotics</td> <td>(23) Office-Type Equipment</td> <td>(36) Tools</td> <td>(51) Fuel</td> <td>(77) Other</td> </tr> <tr> <td>(11) Drug/Narcotic Equipment</td> <td>(24) Other Motor Vehicles</td> <td>(37) Trucks</td> <td>(52) Identity Documents</td> <td>(78) Trailers</td> </tr> <tr> <td>(12) Farm Equipment</td> <td>(25) Purses/Handbags/Wallets</td> <td>(38) Vehicle Parts/Accessories</td> <td>(53) Identity - Intangible</td> <td>(79) Watercraft Equipment/Parts/Accessories</td> </tr> <tr> <td>(13) Firearms</td> <td>(26) Radios/TVs/VCRs/DVD Players</td> <td>(39) Watercraft</td> <td>(54) Law Enforcement Equipment</td> <td>(80) Weapons - Other</td> </tr> <tr> <td></td> <td></td> <td>(40) Aircraft Parts/Accessories</td> <td></td> <td>(81) Pending Inventory (of Property)</td> </tr> </table>											(01) Aircraft	(14) Gambling Equipment	(27) Recordings-Audio/Visual	(42) Artistic Supplies/Accessories	(68) Lawn/Yard/Garden Equipment	(02) Alcohol	(15) Heavy Construction/Industrial Equipment	(28) Recreational Vehicles	(43) Building Materials	(69) Logging Equipment	(03) Automobiles	(16) Household Goods	(29) Structures-Single Occupancy	(44) Camping/Hunting/Fishing Equipment/Supplies	(70) Medical/Medical Lab Equipment	(04) Bicycles	(17) Jewelry/Precious Metals/Gems	(30) Structures-Other Dwellings	(45) Chemicals	(71) Metals, Non-Precious	(05) Buses	(18) Livestock	(31) Structures-Commercial/Business	(46) Collections/Collectibles	(72) Musical Instruments	(06) Cloths/Furs	(19) Merchandise	(32) Structures-Industrial/Manufacturing	(47) Crops	(73) Pets	(07) Computer Hardware/Software	(20) Money	(33) Structures-Public/Community	(48) Documents/Personal or Business	(74) Photographical/Optical Equipment	(08) Consumable Goods	(21) Negotiable Instruments	(34) Structures-Storage	(49) Explosives	(75) Portable Electronic Communications	(09) Credit/Debit Cards	(22) Nonnegotiable Instruments	(35) Structures-Other	(50) Firearm Accessories	(76) Recreational/Sports Equipment	(10) Drugs/Narcotics	(23) Office-Type Equipment	(36) Tools	(51) Fuel	(77) Other	(11) Drug/Narcotic Equipment	(24) Other Motor Vehicles	(37) Trucks	(52) Identity Documents	(78) Trailers	(12) Farm Equipment	(25) Purses/Handbags/Wallets	(38) Vehicle Parts/Accessories	(53) Identity - Intangible	(79) Watercraft Equipment/Parts/Accessories	(13) Firearms	(26) Radios/TVs/VCRs/DVD Players	(39) Watercraft	(54) Law Enforcement Equipment	(80) Weapons - Other			(40) Aircraft Parts/Accessories		(81) Pending Inventory (of Property)
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DRUG INFO.	DRUG TYPE	WHOLE DRUG QUANTITY	FRACTIONAL DRUG QUANTITY	DRUG MEASUREMENT		TYPE DRUG MEASUREMENT:																																																																										
						WEIGHT CAPACITY (GM) Gram (ML) Milliliter (KG) Kilogram (LT) Liter (OZ) Ounce (FO) Fluid Ounce (LB) Pound (GL) Gallon																																																																										
	DRUG TYPE: (A) "Crack" Cocaine (D) Heroin (G) Opium (J) PSP (M) Other Stimulants (P) Other Drugs (B) Cocaine (E) Marijuana (H) Other Narcotics (K) Other Hallucinogens (N) Barbiturates (U) Unknown Type Drug (C) Hashish (F) Morphine (I) LSD (L) Amphetamines/Methamphetamines (O) Other Depressants (X) Over 3 Drug Types						UNITS (DU) Dosage Unit (Pills, etc.) (NP) Number of Plants																																																																									
	NAME: Last, First, Middle SEX: <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk. AGE: <input type="checkbox"/> (00) Unknown RACE: <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander <input type="checkbox"/> (U) Unknown																																																																															
COMPLT.	RESIDENT ADDRESS: Street City State Zip				RESIDENT PHONE		EMPLOY'T. PHONE																																																																									

CONFIDENTIAL SUPPLEMENT

WITNESSES	PAGE #	DATE	INCIDENT NUMBER	REPORTING OFFICER	CODE #	VICTIM NAME
	4	06/04/2019	19-0601108	Sergeant John C. Mosley	9385	VANDYKE, JASON LEE
	NAME: Last, First, Middle			SEX: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female	AGE: <input type="checkbox"/> (00) Unknown	RACE: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander
	RESIDENT ADDRESS: Street City State Zip			RESIDENT PHONE	EMPL. PHONE	
WITNESSES	NAME: Last, First, Middle			SEX: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female	AGE: <input type="checkbox"/> (00) Unknown	RACE: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander
	RESIDENT ADDRESS: Street City State Zip			RESIDENT PHONE	EMPL. PHONE	
	NARRATIVE:					
	1. On 6-4-2019 at approximately 0905 hours, Sgt. Mosley was dispatched to the WCSO lobby in regards to a harassment/retaliation report. Upon arrival, Mosley met with the complainant identified as Jason Lee Van Dyke					
2. Jason stated he was being stalked/harassed/retaliated ag by an individual named Thomas Christopher Retzlaff (DOB . Jason believes the issues started after he worked pro bono as an attorney to shut down a revenge pornography website PinkMeth and the identity theft website Dox6in.						
3. Jason has tried to file multiple reports with other law enforcement agencies. Jason has also sued Thomas twice in an attempt to stop the harassment. On or around December 2018, Jason changed his phone number and e-mail address to prevent further contact from Thomas. In February 2019, Jason moved from Crossroads, Texas. In April 2019, Jason moved to Wise County.						
4. Thomas continues to file false reports with the State Bar of Texas against Jason and post on a website called www.viaviewfiles.net. Jason's current address, photograph of his residence, and a map were published to this website.						
5. Some of Jason's former supervisors have been targeted also. The website states a new article would be published soon. This has also occurred with some of his prior employers.						
6. Jason completed a witness statement and signed a prosecution form. The documents were scanned into this report. Mosley cleared with this offense report.						
SUPPLEMENT #1 Lieutenant Anissa R. Satterfield - 6229 06/05/2019 09:11						
1. Report reviewed and apprvloed. Case forwarded to CID. 6-5-19						

WITNESS STATEMENT OF FACTS

CFS NUMBER: 19-0601108

DATE: 6-4-19 PLACE: WCSC TIME STARTED: 9:40 AM

My name is JASON Lee Van DYKE, I am 39 years of age, having been born on . I have completed 20 years of formal education. I understand that I am not under arrest or detained in any manner concerning the events I am about to make known to WCSC, and that I am, in fact, free to leave at any time. I reside at (Address) , (City) , (State) , (Zip) . My occupation is and I am employed by . My home telephone number is , my work telephone number is () same, my pager telephone number is () same, and my cellular telephone number is () same.

I have been harassed/stalked by Thomas Christopher Retzlaff, who I believe is domiciled in Maricopa County, Arizona for approximately 27 months. I have filed multiple reports with law enforcement, sued him twice, and tried to get him to leave me alone on many occasions. On or around December of 2016, I changed my telephone number and e-mail address to prevent him from contacting me or publishing that information. In February of 2017, I sold my house at

I have read each page of this statement consisting of 3 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct. I also declare that I was not told or prompted what to say in this statement.

This statement was completed at 1006 (time) on the 4th day of June, 2019.

WITNESS: [Signature] 9385

WITNESS:

[Signature]
Signature of person giving voluntary statement

Page 1 of 3

Witness Statement of Facts (continued)

so he would no longer have my address. I moved to Wise County on or around April 5, 2019. Since moving here, he has continued to harass me through false reports to the State Bar of Texas and a website: www.viaviewfiles.net. Retzlaff denies owning this website. I believe that he either owns this website or provides its content because the website has previously published information that could only be known to him or his attorney.

Retzlaff, ~~with~~ or persons acting in concert with him, published my new address, a picture of my home, and a map to my home on the website on or around May 27, 2019. On or around June 4, 2019 a comment appeared on the website indicating that a new article would be published soon about Edward LaMonica, Ashley Mitchell and Hailey Kemp. LaMonica/Mitchell are my prior supervisors at White, Jacobs & Associates in Plano, TX. Kemp is ~~a~~ a former client and daughter to one of my prior supervisors/clients (Nick Siatka) at Tucker Albin & Associates Inc. in Richardson, Texas. Retzlaff has previously contacted my clients directly and the website has previously published pictures of my clients, their homes, and their children.

WITNESS:  9385

WITNESS: _____


Signature of witness giving statement

Page 2 of 3

Witness Statement of Facts (continued)

It is my opinion that Mr. Retzlaff is doing this in retaliation for my role in shutting down the revenge pornography website PinkMeth and the identity theft website Doxbin. Other attorneys and individuals he has harassed are:

Marc Randazza	-
John Morgan	-
Philip Klein	-
Evan Stone	-
Kyle Bristow	-
Jay Liederman	- Phone number not known
James McGibney	-

Retzlaff has been convicted of multiple felonies in Texas, has had his parental rights to his children terminated in Texas, and has been declared a vexatious litigant in Texas. I do not believe that Retzlaff will physically harm me, but I do believe he will continue to harass me and others until action is taken against him in court. I ask that a warrant be issued for the arrest of Thomas Christopher Retzlaff for the third degree felony offense of stalking. Tex. Penal Code 42.072. END of statement.

WITNESS: [Signature] 9385

WITNESS: _____

[Signature]
Signature of witness giving statement

Page 3 of 3



(940) 627-5971

Wise County Sheriff's Office
Sheriff Lane Akin

200 Rook Ramsey Drive
Decatur, Texas 76234

Fax (940) 627-3797

Date: 6-4-19

CFS #: 19-0601108

I certify the information I provided to LT Mosley, a certified peace officer, is true fact.
I understand if the information is false or deceptive I have committed the following offense:

§ 37.08. FALSE REPORT TO PEACE OFFICER OR LAW ENFORCEMENT

EMPLOYEE. (a) A person commits an offense if, with intent to deceive, he knowingly makes a false statement that is material to a criminal investigation and makes the statement to:

- (1) a peace officer conducting the investigation; or
- (2) any employee of a law enforcement agency that is authorized by the agency to conduct the investigation and that the actor knows is conducting the investigation.

(b) In this section, "law enforcement agency" has the meaning assigned by Article 59.01, Code of Criminal Procedure.

(c) An offense under this section is a Class B misdemeanor.

I Do / Do Not wish to prosecute in this matter. My signature below indicates I have read the above statute, and agree to make a true statement to the above stated deputy of the Wise County Sheriff's Office.

Complainant's Signature

Jason Lee Van Dyke

Complainant's Printed Name

Date of Birth

[Signature] 9385
Deputy Signature

Witness Signature

Safe and Sound